

Release
Date: February 10, 1998
Release #: S.C. 05/98

SUMMARY OF CASES ACCEPTED DURING THE WEEK OF FEBRUARY 2, 1998

[This news release is issued to inform the bar and the public of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#98-10 Cel-Tech Communications, Inc.v. Los Angeles Cellular Telephone Co., S066735. (B094578; 59 Cal.App.4th 436.) Petitions for review after the Court of Appeal affirmed in part and reversed the judgment in a civil case. This case presents a variety of issues concerning the elements necessary for causes of action under the Unfair Practices Act (Bus & Prof. Code, §17000 et seq.) and the Unfair Competition Act (Bus & Prof. Code, §17200 et seq.) based on below cost sales.

#98-11 People v. Mendez, S066175. (E017322; 58 Cal.App.4th 773.) Petition for review after the Court of Appeal dismissed an appeal from a judgment of conviction of a criminal offense. This case concerns whether a defendant, who has pleaded guilty to a felony and already has pending in the Court of Appeal an operative appeal of issues which do not require a certificate of probable cause, may apply directly to the superior court for and receive a certificate of probable cause after the time to notice an appeal has expired in order to raise on appeal an issue for which such a certificate is required.

DISPOSITIONS

(over)

The following cases were transferred to the Court of Appeal for reconsideration in light of People v. Howard, 16 Cal.4th 1081:

#97-56 People v. Smith, S059100.

#97-179 People v. Redmon, S064386.

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